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Federal Communications Commission
Office of Secretary

TENDLER CELLULAR

Robert K Tendler, *Chairman*

August 31, 1999

The Honorable William Kennard, Chairman
Federal Communications Commission
445 12th St. S.W.
Washington, D.C 20554

Re: CC Docket Number 94-102
WRITTEN EX PARTE PRESENTATION

Dear Mr. Kennard:

Enclosed please find a Written Ex Parte Presentation regarding the "waiver" situation which you now have in front of you.

We at Tendler Cellular, Inc. are concerned that the EMTs, policemen and firemen get the information they need and as quickly as possible. As a result, we believe that some sort of "waiver" is best for the EMT community. However, the waiver should be constructed so as not to eliminate any particular technology.

We would therefore like to ask you to consider our comments regarding reducing the accuracy required to 50 meters. We have no problem with such a reduction as long as Selective Availability (S/A) is turned off. S/A refers to the intentional dithering of the position available from the GPS satellites by as much as 100 meters. There is no military reason to maintain S/A and the White House and the Air Force have recommended turning S/A off in the name of public safety as well as public convenience.

With S/A turned off, GPS accuracy is between 3-7 meters.

Thank you for your consideration of our comments.

Sincerely,

Robert K. Tendler

RKT/jlu
Enc.

65 Atlantic Avenue, Boston, MA 02110
Telephone 617-720-1339 • Fax 617-723-7186

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August 30, 1999

VIA FEDERAL EXPRESS
Ms. Magalie Roman Salas, Secretary
Federal Communications Commission
1919 M. Street, NW, Room 222
Washington, D.C. 20554

CC Docket Number 94-102
WRITTEN EX PARTE PRESENTATION

Dear Ms. Salas:

Your presenter, Tendler Cellular, Inc. of Boston, Massachusetts is the developer of the FoneFinder® system which integrates a GPS receiver into a cellular phone handset to provide both ANI and ALI verbally to the PSAP and via DTMF signaling over the voice channel. The salient point of the FoneFinder system is that there is no new infrastructure required on the part of a carrier in order to provide ANI and ALI. There are no changes to cell site switches, and there is no necessary additional infrastructure at a PSAP that the PSAP does not already have.

Introduction

It is the purpose of this presentation to urge the Federal Communications Commission to both act favorably on the waiving of the so-called "embedded base" for carriers which adopt the GPS/handset solution, and to adopt the presently proposed 50-meter accuracy rule, but only if Selective Availability (S/A) is turned off.

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Discussion

As suggested in our Written Ex Parte Presentation of October 14, 1997, we at Tendler Cellular suggest that public safety needs can be accommodated rapidly through the introduction of handsets that have integral GPS receivers. Tendler Cellular provides such a solution in a so-called "autonomous" manner in which no cellular-assisted digital signaling is necessary. The "autonomous" solution is a universal solution and is instantly deployable so that EMTs, police and firemen can locate people now. From our perspective, the FoneFinder system is the simplest and most cost effective of solutions to the 911 problem.

Accuracy

It has been proposed that the accuracy requirement of the original Report and Order be reduced to 50 meters. Tendler Cellular would have no objection to this accuracy requirement if and when S/A is turned off. S/A refers to the intentional degradation of the position provided by GPS satellites. Currently, the dithering of the position reported by the GPS system is not to exceed to 100 meters, which satisfies the original Report and Order. Thus, standard GPS-based position reporting is within the present Report and Order.

While the President and Congress have stated that S/A will be turned off, the question remains when. We ask that the accuracy required by the Report and Order not be reduced to 50 meters unless S/A is turned off.

Presently, there are many systems providing emergency signaling which utilize standard GPS. The adoption of the 50 meter rule would eliminate from compliance all such systems which now comply. This is a horrendous outcome because the much-needed location information now possible would not be available.

Moreover, it is our understanding that the so-called triangulation systems cannot provide 50-meter accuracy. Thus, adopting the 50-meter rule would eliminate most triangulation systems and not give them the chance to provide what was originally thought to be adequate accuracy.

Regardless, we believe that GPS-based handset manufacturers will have no problem in providing equipment which will meet the 50-meter accuracy standard once S/A is turned off. This is because with S/A turned off, the accuracy will be between 3 and 7 meters. Turning off S/A would save the tax payers money, would cost the carriers nothing and does not in any way harm United States forces, as S/A has been completely countermeasured by both the United States Coast Guard and the FAA. General Meyers of the Strategic Air Command (responsible for GPS) has publicly stated that S/A is ineffective to protect our troops and costs a great deal of money to provide.

Conclusion

We would strongly urge the commission to provide some kind of waiver which acknowledges the fact that GPS-based handsets offer an acceptable solution for the original Report and Order. For the reasons stated above, we also suggest that it would be appropriate to decrease the required accuracy to 50 meters if and when S/A is turned off.

Respectively submitted,

Robert K. Tendler

RKT/jlu